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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/574,683      | 04/04/2006  | Ulrich Bohne         | 3622                | 2207             |

7590 09/05/2008  
Striker, Striker & Stenby  
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Huntington, NY 11743

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| EXAMINER |
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FLORES SANCHEZ, OMAR

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| ART UNIT | PAPER NUMBER |
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3724

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| MAIL DATE | DELIVERY MODE |
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09/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |  |                                      |  |
|------------------------------|--|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/574,683   | <b>Applicant(s)</b><br>BOHNE, ULRICH |  |
|                              | <b>Examiner</b><br>Omar Flores-Sánchez | <b>Art Unit</b><br>3724              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/4/06</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 9-11, 17-19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Raines (5,366,312).

Raines discloses (Fig. 1-20) the invention including a centering element 22 has circular cross-section, at least one form-locking element/pin-like form (for example, 84 and 85), a tool (Fig. 7-10), a power tool 10, a drive shaft 12, See Fig. 12 the radius associated with one position of the form-locking element is more than twice as large as a radius of the centering element, at least one slaving face (the outer surface of the boss), a recess (for example, 34) and a diameter of 4-8 mm (inherently disclosed).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 4-5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raines (5,366,312) in view of Trott (5,729,904).

Raines discloses the invention substantially as claimed except for at least three or four rotary positions. However, Trott teaches the use of pins 32 for the purpose of connecting the blade. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Raines by providing the pins as taught by Trott in order to obtain a device that quickly connects the blade. Trott pins are capable of connecting the blade in at least three or four rotary positions.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raines (5,366,312) in view of Trott (5,729,904).

The modified device of Raines discloses the invention substantially as claimed except for at least twelve rotary positions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Raines by providing at least twelve rotary positions for the purpose of increasing the degree of freedom of the blade, since it has been held that mere duplication of essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raines (5,366,312) in view of Hutchins et al. (5,694,693).

Raines discloses the invention substantially as claimed except for at least one chamfer. However, Hutchins et al. teaches the use of at least one chamfer (see Fig. 5-6) for the purpose of

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easily securing the blade. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Raines by providing at least one chamfer as taught by Hutchins et al. in order to obtain a device that easily secures the blade.

7. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raines (5,366,312) in view of Jasch (6,796,888 B2).

Raines discloses the invention substantially as claimed except for a spring element. However, Jasch teaches the use of a spring element 98 for the purpose of preventing a release of the screw in operation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Raines by providing the spring element as taught by Jasch in order to obtain a device that prevents a release of the screw in operation.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Matthai et al., Evans et al., Nic, Lim, Fisher et al., Goris, Pascaloff and Winter are cited to show related device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is 571-272-4507. The examiner can normally be reached on 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/O. F./

Examiner, Art Unit 3724

9/1/2008

/Boyer D. Ashley/

Supervisory Patent Examiner, Art Unit 3724